An act to amend Section 12891 of the Government Code, and to add Part 5 (commencing with Section 71400) to Division 34 of the Public Resources Code, relating to environmental protection.

LEGISLATIVE COUNSEL'S DIGEST


The California Global Warming Solutions Act of 2006 requires the State Air Resources Board (state board) to adopt regulations to require the reporting and verification of emissions of greenhouse gases and to monitor and enforce compliance with the reporting and verification program, and requires the state board to adopt a statewide greenhouse gas (GHG) emissions limit equivalent to the statewide GHG emissions levels in 1990, to be achieved by 2020. The act requires the state board to adopt rules and regulations in an open public process to achieve the maximum technologically feasible and cost-effective GHG emission reductions. The act requires all state agencies to consider and implement strategies to reduce their GHG emissions.

This bill would create the Climate Action Team (CAT), under the direction of the Secretary for Environmental Protection and consisting of representatives from specified state agencies, that would be responsible for coordinating the state's overall climate policy,
identifying and reviewing activities and funding programs, recommending policies, investment strategies, and priorities, and providing information to local governments and regional agencies.


The people of the State of California do enact as follows:

SECTION 1. Section 12891 of the Government Code is amended to read:

12891. For purposes of this chapter, the following terms have the following meanings:

(a) “Agency” means the California Environmental Protection Agency.

(b) “Climate Action Team” means the Climate Action Team established pursuant to Section 71402 of the Public Resources Code.

(c) “GHG” means greenhouse gas as defined in subdivision (g) of Section 38505 of the Health and Safety Code.

(d) “GHG emission reduction target” means a requirement made applicable to a state agency by an action taken by the State Air Resources Board pursuant to Division 25.5 (commencing with Section 38500) of the Health and Safety Code.

(e) “Secretary” means the Secretary for Environmental Protection.

(f) “Sector” means an industrial, resources, or administrative domain that should be addressed as an integrated whole for the purposes of climate change planning.

(g) “State agency” means a member of the Climate Action Team, a state office, department, division, bureau, board, or commission whose operations or programs result in greenhouse gas emissions that are subject to Division 25.5 (commencing with Section 38500) of the Health and Safety Code, and any other state agency, as determined by the secretary.

SEC. 2. Part 5 (commencing with Section 71400) is added to Division 34 of the Public Resources Code, to read:
PART 5. STATE CLIMATE CHANGE ACTION TEAM ACT
OF 2010

71400. This part shall be known as the State Climate Change

71401. The Legislature finds and declares all of the following:
(a) California is a world leader in efforts to reduce greenhouse
gases, to assess, adapt to, and mitigate the effects of climate
change, and to promote clean alternative technologies to improve
the state’s economy and the protection of public health
and the environment.
(b) The California Global Warming Solutions Act of 2006
(Division 25.5 (commencing with Section 38500) of the Health
and Safety Code) provides a process for the establishment of a
statewide greenhouse gas emission limit and a process for the
adoption of regulations to achieve the maximum technologically
feasible and cost-effective greenhouse gas emission reductions.
That act also directs the Climate Action Team to coordinate the
overall climate policy as provided in Executive Order No. S-3-05
and for all state agencies to consider and implement strategies to
reduce their greenhouse gas emissions.
(c) California currently invests hundreds of millions of dollars
in research funds for air quality, transportation, electricity, natural
gas, water, and other types of research, development,
demonstration, and deployment projects that could contribute to
the achievement of statewide greenhouse gas emission reductions,
or to the effective adaptation to unavoidable climate change.
(d) More effective coordination of existing programs and
funding by the state can improve the achievement of statewide
greenhouse gas emission reductions, the protection of public health
the state’s infrastructure, communities, and natural resources from the
impacts of climate change, and provide economic and job growth
through the development and support of a strong clean technology
industry.
(e) Due to the global nature of the causes and impacts of climate
change, it is imperative for California to consult with other states,
the federal government, and other nations to identify the most
effective strategies and methods to reduce greenhouse gases, adapt
to ongoing and future climate change, coordinate climate change
research efforts, and facilitate the development of integrated
and cost-effective regional, national, and international climate change programs.

71402. (a) The Climate Action Team is hereby established in state government and shall consist of the following members:

(1) The Secretary for Environmental Protection, who shall serve as the chairperson of the Climate Action Team, and who shall coordinate oversight of the state agencies’ efforts made to meet the greenhouse gas emission reduction targets established pursuant to the Global Warming Solutions Act of 2006 (Division 25.5 (commencing with Section 38500) of the Health and Safety Code).

(2) The Secretary of the Natural Resources Agency.

(3) The Chairperson of the State Air Resources Board.


(5) The President of the Public Utilities Commission.

(6) The Secretary of Business, Transportation and Housing.

(7) The Secretary of Food and Agriculture.

(8) The Secretary of State and Consumer Services.

(9) The Secretary of California Health and Human Services.

(10) The Director of the Office of Planning and Research.

(11) The Secretary for Labor and Workforce Development.

(b) Upon the determination of the Secretary for Environmental Protection, ex officio representatives from other state departments may be added to the Climate Action Team as necessary to provide assistance and expertise in particular subject areas.

(c) Multiagency staff working groups may be formed by the Climate Action Team to provide technical support for the work of the team in individual sectors. Sectors may include, but are not limited to, agriculture, biodiversity and habitat, forestry, energy, land use, coastal and delta resources, regional and international policy development, state operations, water, and climate change research.

71403. Consistent with the California Global Warming Solutions Act of 2006 (Division 25.5 (commencing with Section 38500) of the Health and Safety Code) and Executive Order No. S-3-05, the Climate Action Team, under the direction of the Secretary for Environmental Protection, shall coordinate climate policy of the state to achieve all of the following goals:

(a) The maximum feasible and cost-effective reduction of greenhouse gas emissions through the implementation by the State
Air Resources Board of the California Global Warming Solutions Act of 2006 (Division 25.5 (commencing with Section 38500) of the Health and Safety Code).

(b) The promotion of economic and job growth in California through workforce development and the encouragement and support of clean technology development and deployment to meet the state’s climate change goals and greenhouse gas emission reduction targets and limits.

(c) The identification of unavoidable climate change impacts to California’s natural resources and infrastructure.

(d) The development and implementation of mitigation and adaptation plans to protect the natural resources, public health and welfare, and economy of California.

(e) The coordination of climate change policies with other states, the federal government, and other nations to identify the most effective strategies and methods to reduce greenhouse gases, adapt to ongoing and future climate change, coordinate climate change research efforts, and facilitate the development of integrated and cost-effective regional, national, and international climate change programs.

(f) The coordination and efficient use of existing state resources, programs, and funds to achieve the goals identified in this section.

71404. The Climate Action Team, under the direction of the Secretary for Environmental Protection, shall do all of the following:

(a) Identify and review activities, funding programs, and other revenue of state agencies that may be coordinated to meet the goals of Section 71403.

(b) Recommend policies, investment strategies, and priorities to meet the goals of Section 71403.

(c) Provide information to local governments and regional activities that will assist in addressing the goals of Section 71403.

71405. (a) Each member of the Climate Action Team may appoint an alternate or designee to attend meetings or hearings of the Climate Action Team in that member’s place.

(b) Notwithstanding Section 7.5 of the Government Code, each designee shall act as the member in his or her place and stead to all intents and purposes as though the member were personally present, including the right of the designee to be counted in
constituting a quorum to participate in any proceeding of the Climate Action Team and to vote upon any and all matters.

(c) Each designee shall have the right to represent the member who appointed him or her regardless of the number of other designees representing the chair, director, president, or secretaries, at a particular meeting or session of the Climate Action Team. Each designee shall represent only one member at any meeting or session of the Climate Action Team.

(d) The Climate Action Team may hold duly noticed public meetings and workshops to solicit comments from the public prior to recommending policies, investment strategies, and priority priorities in accordance with subdivision (b) of Section 71404. Except as provided in this subdivision, the Climate Action Team shall not be required to conduct its meetings open to the public in accordance with Article 9 (commencing with Section 11120) of Chapter 1 of Part 1 of Division 3 of Title 2 of the Government Code. A meeting of the Climate Action Team, including a meeting related to the coordination of the multiagency efforts to meet the greenhouse gas emission reduction targets and activities related to the California Global Warming Solutions Act of 2006 (Division 25.5 (commencing with Section 38500) of the Health and Safety Code), shall be subject to the Bagley-Keene Open Meeting Act (Article 9 (commencing with Section 11120) of Chapter 1 of Part 1 of Division 3 of Title 2 of the Government Code). For the purposes of this subdivision, “meeting” does not include a meeting at which the secretaries serving as members of the Climate Action Team are meeting as members of the Governor’s cabinet.